

III.B

**Memorandum
Department of Planning**

To: Planning and Public Works Committee
From: Annisa Kumerow, Planner **AK**
Date: September 24, 2020
RE: Development Process Flowchart



Summary

At the request of the Planning Commission, the Department of Planning has created the Development Process Flowchart to assist in understanding the development process within the City of Chesterfield. The information depicted in the flowchart is intended to be a general overview of the development process within the City, and provides a broad perspective of the major steps and phases within the process in a logical order. The Development Process Flowchart is a tool to assist with knowledge of the development process, and is not a substitute for information found in the Unified Development Code, the Comprehensive Plan, site-specific ordinances, and other City codes and regulations.

The Development Process Flowchart was presented to the Planning Commission on Monday, September 14th. The Planning Commission Staff Report is attached for your reference.



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Planning Commission Staff Report

Meeting Date: September 14, 2020
From: Annisa Kumerow, Planner **AK**
Project: Development Process Flowchart

SUMMARY

The Department of Planning has created the Development Process Flowchart to assist in understanding the development process within the City of Chesterfield. The information depicted in the flowchart is intended to be a general overview of the development process within the City, and provides a broad perspective of the major steps and phases within the process in a logical order. It is important to note that the Development Process Flowchart is not intended to be a comprehensive how-to guide, nor does it reflect a complete representation of every type of development package, procedure, or process. The Development Process Flowchart is a tool to assist with knowledge of the development process, and is not a substitute for information found in the Unified Development Code, the Comprehensive Plan, site-specific ordinances, and other City codes and regulations.

CONVENTIONAL AND PLANNED DISTRICTS

The Development Process Flowchart distinguishes between conventional (straight) zoning districts and planned zoning districts at several points throughout the flowchart. Conventional and planned zoning districts both generally follow the same pathway through the flowchart, with a few key distinctions. The primary difference between conventional and planned districts is where the development criteria is specified. In straight zoning districts, development criteria such as minimum lot size, maximum height, setbacks, and permitted uses are all specified in the Unified Development Code. By contrast, development criteria for planned districts are specified in the governing site-specific ordinance.

Another difference between conventional and planned districts is the submittal requirements, and at what point in the flowchart they are required. For example, a rezoning to a planned district requires the submittal of a preliminary development plan in conjunction with the rezoning. Conversely, a rezoning to a conventional district does not require plan submittal at the time of rezoning; however, a plan is required at plan review. In essence, both conventional and planned districts follow similar pathways, and both have comparable submittal requirements; the difference is that the submittal requirements are submitted at different phases in the process.

FLOWCHART PATHS

There are three significant components that influence a project's pathway through the Development Process Flowchart:

1. Whether or not the desired use is permitted
2. Whether or not the development is existing
3. Whether the development will be phased or completed at once

All development processes start at the same point, and all development processes end at the same point on the flowchart.

The left side of the flowchart assumes that the use is permitted. Therefore, no change of zoning or ordinance amendment process is necessary, and the left portion of the flowchart moves directly to the plan review section. The right side of the flowchart assumes that the use is not permitted, and therefore the project must proceed with a change of zoning or an ordinance amendment before moving to the plan review section of the flowchart.

Whether or not a development is existing also plays a role in determining its pathway through the flowchart. If the use is permitted, but the development is not existing, the project will proceed to plan review. If the use is permitted, and the development is existing, the proposed work may require a Municipal Zoning Approval application, or it may need to proceed to plan review, depending on whether or not the proposed work impacts the building footprint or site design.

The final overall component that influences the pathway through the flowchart is concerned with the timing of the development and whether or not the property will be subdivided in the future. The plan review phase of the flowchart depicts separate processes for Preliminary Plats, Record Plats, Site Plans, Site Development plans, Site Development Concept Plans, and Site Development Section plans. These plan types are practically identical, but differ based on how the property is proposed to be developed. For example, if a planned district property will be developed in phases, a Site Development Concept Plan and Site Development Section Plan are required. If a property will be subdivided, a Preliminary Plat and Record Plat are required; if the property will be held in single ownership, a Site Plan is required.

REZONING

Depending on the zoning of the property, either a change of zoning request or ordinance amendment request is necessary:

- Change of zoning - Applicable to conventional zoning districts and planned districts where the zoning district does not allow for the desired use
- Ordinance amendment – Applicable to planned districts where the site-specific ordinance does not allow for the desired use, but the desired use is permitted in the zoning district; and, planned districts where the site-specific ordinance does not allow for the desired development criteria (such as height, open space, etc.)

Both a change of zoning and an ordinance amendment follow the same rezoning process. As stated previously, submittal requirements for a change of zoning or ordinance amendment request differ depending on whether the property is seeking a conventional district or a planned district, but both types of districts follow the same rezoning process.

Staff Review

Each rezoning process begins with staff review. In the staff review phase, City planners coordinate with City engineers to review the submitted materials against the Unified Development Code, the Comprehensive Plan, any site-specific ordinances, and other City codes and regulations. Requests not meeting minimum submittal requirements receive a letter detailing deficiencies that must be addressed. Once a determination has been made that all submittal requirements have been met, Staff completes the public hearing notification process in accordance with statutory requirements. The rezoning request is also sent to all applicable agencies, which may include St. Louis County, the Missouri Department of Transportation, Monarch Fire District, the Metropolitan St. Louis Sewer District, the Spirit of St. Louis Airport, and the Chesterfield Levee District.

Public Hearing and Planning Commission

The first meeting is the Public Hearing, where the petition is presented, the public is given an opportunity to speak, and the Planning Commission raises any issues that they may foresee with the project. Following the Public Hearing, the project returns to staff for further review and to address any issues raised by the Planning Commission.

If the request is for a planned district, staff compiles the site-specific development criteria at this time. Requests for rezoning to a planned district also necessitate the submittal of a Preliminary Development Plan (PDP) depicting the preliminary location of structures, parking areas, and easements. The requirement for a PDP essentially moves part of the site design upfront to the rezoning phase. By contrast, rezoning to a conventional district does not require submittal of a PDP at the time of rezoning; however, a plan is required at plan review.

After all staff comments have been addressed, agency comments have been received, and the site-specific development criteria has been drafted (if applicable), the project proceeds to an additional Planning Commission meeting, where a vote may be held. Planning Commission may vote to recommend approval, recommend denial, or choose not to vote. The Planning Commission may also choose to hold an Issues Meeting between the Public Hearing and the Vote meeting, where the planner presents an Issues Report and the draft development criteria.

Planning & Public Works Committee and City Council

Once a vote has been held at Planning Commission, the project proceeds to the Planning & Public Works Committee. The Planning & Public Works Committee is a subcommittee of City Council. The Committee forms its own recommendation, and the project proceeds to City Council. The City Council reconciles all of the recommendations on the project, and the first reading of the

draft ordinance is held. At a separate meeting, the City Council reads the ordinance for the second time. If approved, the zoning map amendment is approved.

PLAN REVIEW

To reach the plan review portion of the Development Process Flowchart, the desired use must be permitted. If the development is not existing, or if the proposed work impacts the building footprint or site design, the plan review phase of the flowchart is necessary.

Staff Review

Each plan review process begins with staff review. In the staff review phase, City planners coordinate with City engineers to review the submitted materials against the Unified Development Code, the Comprehensive Plan, any site-specific ordinances, and other City codes and regulations. Projects are required to submit comments and approvals from various agencies, which may include St. Louis County, the Missouri Department of Transportation, Monarch Fire District, the Metropolitan St. Louis Sewer District, Spirit of St. Louis Airport, and the Chesterfield Levee District.

Architectural Review Board

If the proposed work consists of new buildings or substantial modifications to existing buildings, Architectural Review Board review (ARB) is required. The ARB serves as an advisory and recommending body, and reviews the architectural elements of proposed site plans against a set of established Design Standards to promote high quality architecture for development projects under review by the City.

The ARB may recommend approval, recommend approval with conditions, or recommend denial. The applicant may also request to hold their project at the ARB meeting. The ARB process may repeat itself based on the specifics of the individual project, and thus the timeframe is variable.

Following the ARB meeting, the project returns to staff for further review and to address any outstanding staff or agency comments before being placed on a Planning Commission agenda. If the ARB has provided conditions with their recommendation for approval, these conditions will be forwarded on to Planning Commission.

Planning Commission

Once all staff comments have been addressed, agency comments have been received, and ARB conditions have been met, the project proceeds to Planning Commission. The Planning Commission may approve, approve with conditions, or deny the plan. Once the Planning Commission has voted on its decision, the project enters the Power of Review phase, where either Council Member of the Ward where a development is proposed, the Mayor, or any two City Council Members from any Ward may request that the plan be reviewed and approved by the entire City Council. Power of Review must be exercised within 72 hours of the Planning Commission's decision. If Power of Review is exercised, the project will need to proceed to a Planning & Public Works Committee as well as a City Council meeting. Power of Review adds a month to the development timeframe at a minimum.

If Power of Review is not called, Planning Commission's decision is made final.

CONCLUSION

The Development Process Flowchart is intended to assist with understanding the development process within the City of Chesterfield. The information depicted in the flowchart is intended to be a general overview of the development process within the City. The development process is inherently complex by design, and how a project moves through the process is specific to the particular details of that project. There may be several impediments to the process along the way, including, but not limited to agency comments, site-specific issues, and multiple meeting cycles. It is important to note that development timeframe is not predictable as there are multiple points throughout the process where a project may reach an impediment.

It should also be noted that the Development Process Flowchart only represents a piece of the life cycle of a development, and there are several aspects of development that are not included in the Development Process Flowchart, such as sign packages and specialty lighting packages. After a plan is approved by the Planning Commission, there are several more steps that need to occur before a Municipal Zoning Approval for construction may be sought, such as the submittal of Improvement Plan applications, Grading Permit applications, and additional agency comments relating to these applications. Once the City issues the Municipal Zoning Approval, the developer begins the process of securing building, mechanical, electrical, plumbing, and sewer permits.

Attached to this memorandum is the Development Process Flowchart.

Attachments

1. Development Process Flowchart

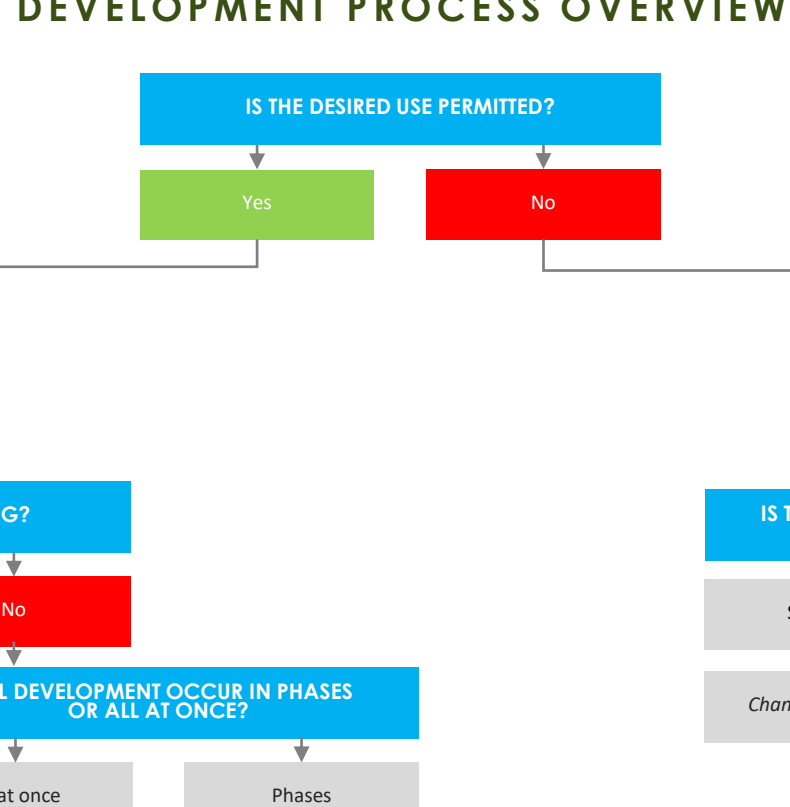
OVERLAY DISTRICTS & SPECIAL PROCEDURES

- MUSEUM AND ARTS AREA (MAA)
- RESIDENTIAL BUSINESS USE PROCEDURE (RBU)
- WILD HORSE SUBAREA OVERLAY (WHS)
- CHESTERFIELD HISTORIC REGISTER (CH)
- LANDMARKS PRESERVATION AREA (LPA)
- ADULT ENTERTAINMENT AREA (AEA)
- CONDITIONAL USE PERMIT (CUP)

DEVELOPMENT PACKAGES

- JOIN PACKAGE
- ARCHITECTURAL SPECIALTY LIGHTING PACKAGE

DEVELOPMENT PROCESS OVERVIEW



BOARD OF ADJUSTMENT

- VARIANCE
- APPEAL

